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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,316	06/12/2001	Yong Duk Park	13172 P02	5158

26486 7590 01/02/2004
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EXAMINER

DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
2686	6

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,316

Applicant(s)

PARK, YONG DUK

Examiner

Willie J. Daniel, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the citizenship of each inventor.

It does not identify the city and either state or foreign country of residence of each inventor. The residence information may be provided on either on an application data sheet or supplemental oath or declaration.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: **Fig. 3** does not show (**ref. 400**) as stated on pg. 5, line 2. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: The disclosure and claims should be on separate pages which share pg. 5.

Appropriate correction is required.

Claim Objections

4. **Claim 2** is objected to because of the following informalities: The preamble appears to be incomplete. Examiner interprets the preamble to have omitted "**comprising:**" after the word "device". Appropriate correction is required.
5. The claims are objected to because they include reference characters which are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

Regarding **Claims 2-3**, reference characters are not enclosed within parentheses.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by **Thompson (US 5,465,401)**.

Regarding **Claim 1**, Thompson discloses an apparatus for controlling a door by a mobile radio communication system (20) (see col. 6, line 44 - col. 7, line 20; col. 15, lines 14-24; col. 15, line 55 - col. 16, line 22; Figs. 1, 2, 8), where the mobile (50) is used as a garage door opener within a system which can be a wireless communication network operating on various radio frequencies, comprising:

a transmitting device (43) for generating control signals to unlock at a remote place a door-locking device provided for a door, said door having a locking device (see col. 15, lines 14-24), where the mobile (50) is connected to the satellite to provide the controlling signals to open/close or lock/unlock the door of the garage;

a mobile radio communication terminal (50) connected to said transmitting device (43) through a wire for converting said control signals generated through said transmitting device (43) into wireless signals for delivery (see col. 7, lines 35-42; col. 15, lines 14-24; col. 15, line 55 - col. 16, line 22; Figs. 1, 2), where the satellite (43) is connected to the mobile (50) through a port in which the mobile provides the control signals to open/close or lock/unlock the garage door; and

a receiving device installed within a door locking device of said door, for receiving and analyzing said wireless signals delivered by said mobile radio communication terminal and for automatically controlling a motor and unlocking the door if the analyzed signals are door-unlocking signals (col. 15, lines 14-24), where the receiving device would be inherent for operating the opening/closing or unlocking/locking of door.

Regarding **Claim 2**, Thompson discloses everything claimed, as applied above (see claim 1), in addition Thompson further teaches of an apparatus wherein said transmitting device (43) (see col. 6, line 44 - col. 7, line 20; col. 15, lines 14-24; col. 15, line 55 - col. 16, line 22; Figs. 1, 2, 8) comprises:

an inherent power switch for power supply, where power is supplied from the port of the mobile (50) to the satellite/transmitter while connected;

a constant voltage regulator for maintaining a desired level of constant voltage of the power when the power is turned on by the switch, where a voltage regulator would be inherent to maintain proper operation for power distribution from the mobile (50) to the satellite/transmitter;

a receiver (50) for detecting DTMF signals in response to the user's manipulation of buttons (60) (see Figs. 1, 2, 5, 7, 8); and

a control signal generator (68) for generating control signal data in response to the DTMF signals detected by said receiver (50) (see col. 6, line 44 - col. 7, line 20; col. 15, lines 14-24; Fig. 1, 8), where the controlling signal is generated by manipulating the buttons (60) of the mobile (50) for operating the garage door by opening/closing or locking/unlocking.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Thompson (US 5,465,401)** in view of **Pinzon (US 6,151,005)**.

Regarding **Claim 3**, Thompson teaches of having an apparatus for controlling a door by using a mobile (50) within a mobile radio communication system (20) (see col. 6, line 44 - col. 7, line 20; col. 15, lines 14-24; col. 15, line 55 - col. 16, line 22; Figs. 1, 2, 8).

Thompson fails to disclose the components of the receiving device. However, the examiner maintains that the components of the receiving device for door locking/unlocking operation was well known in the art, as taught by Pinzon.

In the same field of endeavor, Pinzon teaches of having an apparatus wherein said receiving device (see col. 4, line 19 - col. 5, line 9; col. 5, line 54 - col. 6, line 18; Figs. 1, 2A, 3, 4, 5) comprises:

a door lock control means (4 or 28) for receiving wireless signals delivered by said mobile radio communication terminal to process said wireless signals so as to generate relay control signals through a port according to the data obtained from said processing of wireless signals (see col. 4, line 19 - col. 5, line 9; col. 5, line 54 - col. 6, line 18; Figs. 1, 2A);

a door locking mechanism (5) which reads on the claim "switching element" for carrying out switching operations according to the relay control signals outputted from said door lock

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control means (4 or 28), where the door locking mechanism switches between locking or unlocking (see col. 4, line 19 - col. 5, line 9; col. 5, line 54 - col. 6, line 18; Figs. 1, 2A); and an OR gate (35) which reads on the claimed "relay" for automatically unlocking the door lock by the power which is supplied when said switching element is turned on (see col. 6, lines 8-27; Figs. 1, 2A), where the signal or power is supplied to the OR gate for locking or unlocking functions.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Thompson and Pinzon to have an apparatus wherein said receiving device comprises: a door lock control means for receiving wireless signals delivered by said mobile radio communication terminal to process said wireless signals so as to generate relay control signals through a port according to the data obtained from said processing of wireless signals; a switching element for carrying out switching operations according to the relay control signals outputted from said door lock control means; and a relay for automatically unlocking the door lock by the power which is supplied when said switching element is turned on.

The advantage of combining the teachings of Thompson and Pinzon is to provide a remote door locking/unlocking system that may be used on a variety of doors, including doors for residential and commercial buildings, hotel room, vehicle, garage, office, or metal safe doors that utilizes a wireless communications network (see Pinzon col. 2, lines 43-65; col. 3, lines 47-54).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Anderson et al. (US 5,109,402) discloses a *Bus for a Cellular Telephone*.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (703) 305-8636. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-3180.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-5424.

WJD,JR/wjd,jr
29 December 2003

Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
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